

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND)
COMPOUNDING PHARMACY, INC.)
PRODUCTS LIABILITY LITIGATION)
) MDL No. 13-md-2419-RWZ
v.)
)
This Document Relates to:)
)
All Cases)
)

NOTICE OF WITHDRAWAL OF MOTION BY LIBERTY INDUSTRIES, INC.

Defendant, Liberty Industries, Inc., (“Liberty”) hereby withdraws the motion filed today captioned *Joinder of Liberty Industries, Inc. to the Tennessee Clinic Defendants’ Motion and Memorandum in Support of Motion to Reconsider and Revise Specific Provisions in MDL Order No. 6 to Allow all Parties Equal Access to the Documents Produced by NECC to the PSC* (Dkt. No. 1063) (“Joinder”). As grounds therefore, Liberty states that it has reached an agreement with the Plaintiffs’ Steering Committee which obviates the need for the Joinder.

WHEREFORE this Court is requested to disregard the Joinder because it has been withdrawn.

Respectfully submitted,

LIBERTY INDUSTRIES, INC.,
By its attorneys,

/s/ Peter G. Hermes

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Dated: April 7, 2014

CERTIFICATE OF SERVICE

Pursuant to Local Rules 5.2(b)(2) and 5.4 of the Local Rules of the United States District Court for the District of Massachusetts, I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and that paper copies will be sent by first-class mail to those indicated as non-registered participants, if any, on April 7, 2014.

/s/ Peter G. Hermes
Peter G. Hermes

LOCAL RULE 7.1 CERTIFICATION

I hereby certify that counsel for Liberty Industries, Inc. conferred with counsel for the Plaintiffs' Steering Committee and it was agreed to withdraw the afore-mentioned motion.

/s/ Peter G. Hermes
Peter G. Hermes

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